

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JASON PAVELKA, et al.,

Plaintiffs,

vs.

PAUL MOSS INSURANCE AGENCY,
LLC, dba EPIQ INSURANCE AGENCY

Defendant.


) CASE NO. 1:22-cv-2226
)
) JUDGE DONALD C. NUGENT
)
)
)
)
)
)

DECLARATION OF PAUL MOSS

Paul Moss, under 28 U.S.C. § 1746, declares as follows.

1. I was the Chief Executive Officer of the Moss Corporation from 2008 to 2022.
2. In this role, I was aware of the documents maintained by Paul Moss Insurance Agency, LLC, dba Epic Insurance Agency ("Paul Moss Agency").
3. The document attached as Exhibit A to this Declaration is a true and accurate copy of a text maintained by Paul Moss Agency.
4. The separately filed recording marked as Exhibit B to this Declaration is a true and accurate copy of a recording maintained by Paul Moss Agency.
5. Following the September 29, 2022 text attached as Exhibit A to this Declaration Paul Moss Agency did not send any additional text to Plaintiff Kaylee Pavelka.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.



Paul Moss

EXHIBIT 2

Kaylie Pavelka Messages Info Notes Scheduled X

! Kaylie Pavelka is assigned to Brett Hanson

! Kaylie Pavelka will not be sent messages

Thu, Sep 29, 2022 5:07 PM

Hi Kaylie, my name is Brett Hanson with Epiq Agency. I was the agent assigned to finish up your quotes 🙌 I have all the information I need. I just need to confirm whether you want full coverage or just liability? BH

by Brett Hanson @ 5:07 PM

KP Full coverage

to Brett Hanson @ 5:16 PM

Policy Coverages	2021 MAZD CR-30 3MPCMA8L7MMZ05450	2021 GMC CANYON 1G1RCEN7M128618
Liability	No Coverage	No Coverage
Bodily Injury	100/200	\$375.00
Property Damage	100/200	\$240.00
UM/UM	100/200/100	\$225.00
Med Payments	1000	\$7.00
PIP	No Coverage	No Coverage
uninsured Motorist/Hit&Run	No Coverage	No Coverage
Auto Uninsured Motorist	No Coverage	No Coverage
Vehicle Coverages		
Auto Injury	1000	\$540.00
Comprehensive	1000	\$457.00
Collision	1000	\$580.00
Towing & Labor	No Coverage	No Coverage
Rental	No Coverage	No Coverage
Emergency Parking	No	No
Guards™	No	No
Gap Coverage	No	No
Deer Car Replacement™	No	No
Original Parts Replacement	No	No
RideSharing Coverage	No	No
Vehicle Premium	\$1,472.00	\$1,760.00
Vehicle Fee	\$8.00	

GREAT NEWS!! I shopped 13 carriers and found you the best rate. I have attached it for you to review. If all the coverages look good to you. Your 1st payment will be \$269.99 with a monthly payment of \$272. This is for full coverage on 2 vehicles and 2 drivers. How does that sound? BH

by Brett Hanson @ 5:22 PM

Thu, Sep 29, 2022 5:22 PM

KAYLIE PAVELKA WAS ADDED TO THE DRIP CAMPAIGN: TEXT RATE NO RESPONSE

KP Is the underwriter State Farm? How do I know you're a real agency?

to Brett Hanson @ 5:25 PM

Thu, Sep 29, 2022 5:25 PM

KAYLIE PAVELKA WAS REMOVED FROM THE DRIP CAMPAIGN: TEXT RATE NO RESPONSE (CAMPAIGN IS CONFIGURED TO REMOVE THE CONTACT ON RECEIPT OF ANY INBOUND SMS MESSAGE.)

I work for Epiq Insurance Agency we are out of Solon, OH just out of Cleveland but you can look us up at <http://www.epiqagency.com> this is a quote for Liberty Mutual

You talked to us on the phone earlier but looks like no agents were available which is why I'm texting you BH

by Brett Hanson @ 5:27 PM

STOP. You are hereby instructed to opt out the following phone numbers, and any information obtained through or associated with them regardless of how you came to know these numbers, from any auto dialer, solicitation, polling, and marketing use of any kind by your organization or any of its subsidiaries, national partners, state partners, local partners (individuals), or other entities of any other kind to which you may have provided this information.

###-###-####
###-###-4742
817-881-4635

These numbers and the aforementioned information are not to be redistributed to third parties, including via address following, previous web form submissions, and other methods. Any previous consent to call, use, and distribute these phone numbers is hereby explicitly and unequivocally revoked. It is expected that you will alert any parties to which you may have distributed these phone numbers of this opt out.

Your receipt of this notice will be considered a full opt out of marketing communications pursuant to 47 C.F.R. 64.1200(a)(4)(v) and terminates any EBR exemption.

KP

to Brett Hanson @ 5:36 PM

Text message body...

0/320

EXHIBIT B

**EXHIBIT B HAS BEEN
FILED MANUALLY UNDER SEAL
(AUDIO FILE ON FLASH DRIVE)**